

REMARKS

Reconsideration is respectfully requested.

Claim 1 has been amended to overcome the rejection under 35 U.S.C. § 103(a) over Nagata et al. in view of AAPA (Applicant's Admitted Prior Art).

The present amendment adds the limitation reciting "lengths of the auxiliary member and the base member in a magnetic tape running direction (X) are the same" which is supported by Figs. 3 and 4A of the specification. The limitation "length of the auxiliary member in a direction perpendicular to the slider surface is shorter than the length of the base member in the direction perpendicular to the slider surface" is supported by Fig. 3. The added limitation "the exposed electrode terminals are arranged in the direction perpendicular to the slider surface" is supported by Figs. 3 and 5. No new matter has been added.

Neither of Nagata et al. nor AAPA discloses the claimed "auxiliary member" that forms a slider surface, or the feature of "lengths of the auxiliary member and the base member in a magnetic tape running direction are the same" and thus both together fail to set forth a *prima facie* case of obviousness. Thus, Claim 1 cannot be obvious from Nagata et al. and AAPA.

In addition, since the aluminum film 16 is a protective layer (column 3/line 1 in Nagata et al.), the length of the aluminum film 16 cannot be shorter than the base member. In Nagata et al., the length of the aluminum film 16 is the same as length of the base member 1, as is shown in Figs. 2-4 in Nagata et al. AAPA does not even illustrate or described the claimed "auxiliary member."

Therefore, the claimed feature "the length of the auxiliary member in a direction perpendicular to the slider surface is shorter than the length of the base member in the

direction perpendicular to the slider surface” cannot be suggested by either of Nagata et al. or AAPA.

Further, the two electrode terminals 8 and 9 in Nagata et al. appear to be arranged parallel to the slider surface in Nagata et al. (Fig. 1). By adopting this arrangement, the total width of the device increases. In contradistinction, the present invention describes and claims that the “exposed electrode terminals are arranged in the direction perpendicular to the slider surface” and thus the width W (Fig. 3) of the magnetic head device can be decreased. In addition, since the electrode terminals are exposed, the magnetic head device can be easily connected to a FPC (flexible printed circuit). Nagata et al. does not suggest these features.

As mentioned above, the claimed structure of the magnetic head of the present invention is far different from that of either Nagata et al. or AAPA whether taken separately or together. Therefore, amended Claim 1 and the dependent Claim 3 are patentable over the prior art of record.

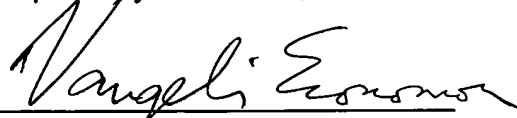
Further indicia of patentability are recited in Claim 3. The Office Action equates the reaction inhibiting layer 2 of Isomura et al. with the claimed non-magnetic layer on the slider surface. As claimed in Claim 1, the non-magnetic layer accommodates the thin-film magnetic head. In contrast, Isomura's reaction inhibiting layer 2 does not accommodate the thin-film magnetic head, and is merely a reaction inhibiting layer. In addition, Isomura's head structure (Fig. 1) appears to be similar to that disclosed in the prior art device and illustrated in Figs. 1-2B of the present application. Thus, the non-magnetic layer of the present invention cannot be equated with the reaction inhibiting layer of Isomura, and cannot be obvious from Isomura.

It is also respectfully submitted that with respect to the rejection of Claim 3 based on Nagata and further in view of Isomura et al. (U.S. Patent No. 5,227,940), it is respectfully suggested that Isomura et al. fail to provide or teach the recited elements missing from Nagata, as described above. Moreover, no teaching or suggestion is present in either Nagata or Isomura et al. that the Nagata device should be modified, nor any incentive is provided as to why such a modification is desirable or even possible, other than the reason set forth in the Office Action, the "obvious to try or experiment incentive," which is an impermissible standard for obviousness.

As mentioned above, the claimed structure of the magnetic head of the present invention is far different from that of Nagata et al. Therefore, Applicants respectfully consider that the amended Claim 1 and dependent Claim 3 distinguish over Nagata et al. and the AAPA and thus are patentable thereover.

For the above reasons, it is considered that the claims, as amended, find support in the application specification as filed, and that the combination of elements recited in the pending claims, as amended, distinguish over the references of record. Accordingly, reconsideration and withdrawal of the outstanding rejections are respectfully requested and an indication of allowable subject matter is earnestly solicited.

Respectfully submitted,



Vangelis Economou -Reg. No. 32,341
c/o Ladas & Parry
224 South Michigan Avenue - Suite 1200
Chicago Illinois 60604
Tel. No. (312) 427-1300

September 8, 2004